

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT application of:

Applicant: Vilsmeier et al. Serial No: 10/634,133
Filed: August 4, 2003 Examiner: Nasir Shahrestani
Title: PATIENT POSITIONING SYSTEM FOR RADIOTHERAPY/RADIOSURGERY
BASED ON MAGNETICALLY TRACKING AN IMPLANT
Art Unit: 3737

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated February 17, 2010, of the Primary Examiner finally rejecting claims 1-20.

Applicant is:

☐ a small entity
\$270.00 Fee

☒ other than a small entity
\$540.00 Fee

Fee Payment:

☐ Attached is a check covering the aforesaid fee

☐ Credit card payment covering the fee

☒ Not required (fee paid in prior appeal in this application)

☐ Charge fee to Deposit Account No. 18-0988 under Attorney Docket No. <>

The Commissioner is authorized to charge any additional fee which may be required by this notice, or credit any overpayment, to Deposit Account No. 18-0988 under Docket No. SCHWP0185USA.

Respectfully submitted,

/Kenneth W. Fafrak/
Kenneth W. Fafrak, Registration No. 50,689
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